

REMARKS

In the Office Action mailed January 23, 2009 the Office noted that claims 26-48 were pending and rejected claims 26-48. Claims 26-37 and 39-47 have been amended, claim 48 has been canceled, and, thus, in view of the foregoing, claims 26-47 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

DOUBLE PATENTING

Claims 26-28, 36, 38 and 40-44 are provisionally rejected on grounds of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1-4 of U.S. Patent No. 6,985,411. The Applicants have amended the claims as discussed below as to distinguish them from the cited patent.

Therefore, the Applicants have traversed the provisional rejection.

Withdrawal of the provisional rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 101

Claims 46-48 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office asserts that the claims are directed to an impermissible computer program. The Applicants have amended

claims 46 and 47 to recite "a computer readable recording medium with a computer program recorded thereon." Support for the amendment may be found, for example, on page 31, line 8 of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of the claims. The Applicants submit that the claims as now recited are directed to statutory subject matter as defined in MPEP § 2106.01(I).

Claim 48 has been cancelled.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 26-48 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Murase, U.S. Patent No. 6,285,826. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Murase discusses content type information indicative of the specific audio or video content of each reproduction path is stored for each reproduction path on the optical disc.

The Applicants have amended claim 26 to recite "a plurality of content informations; a plurality of **first informations** each **defining** a plurality of play list informations **each defining a plurality of play item information** each defining reproduction sequence of the plurality of content informations; **second information including address information which designates the part of content informations corresponding to the play item**

*information; and third information designating at least one **first information** , which corresponds to the content informations to be reproduced, from among the plurality of **first informations** to reproduce the plurality of content informations as a title, the title being a logical information unit of the plurality of content informations, wherein **the plurality of content informations are collectively recorded as a file which is different from files for recording the plurality of first informations, the second information and the third information, the second information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the third information, the third information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the second information.***" (Emphasis added) Support for the amendment may be found for example, on page 15, line 21 to page 16, line 11; page 18, lines 9-15; page 49, line 23 to page 50, line 5; and page 55, lines 4-19. The Applicants submit that no new matter is believed to have been added by the amendment of claim 26. Claims 39-45 have likewise been amended.

On page 12 of the Office Action, the Office asserts that Murase, col. 11, lines 38-59 element PRM_TXTI discloses "first information (play list set)" and the "third information (title information)" defined in claims 26 to 47.

However, the Applicants respectfully disagree. The "PRM_TXTI" merely indicates the name of the content (for example, the name of the television program). Namely, the "PRM_TXTI" does not indicate the reproduction sequence (i.e. the reproduction order) of the content. Therefore, Murase does not disclose the "first information" as in the amended claims.

In addition, Murase does not disclose the hierarchy of the play list (i.e. the first information (play list set), the play list information and the play item information, see Fig. 18 of the present application). Therefore, Murase does not disclose the "first information" as in the claims.

In contrast, Murase merely discloses the program set which defines the plurality of program each of which defines the reproduction sequence of the Movie Object (see Fig. 4 of Murase). However, Murase does not disclose that (i) the plurality of program sets can be recorded and (ii) the information for selecting one program set (i.e. the "third information" of the present invention). Thus, Murase does not disclose the feature of claims 26 to 47 such as (1) the "plurality of first informations (play list sets)" and (ii) "the third information (title information) which designates one first information and which is different information from the first information (and different from play list informations and play item informations)."

Further, Murase does not disclose another feature of

claims 26 to 47 such that "the second information including the address information which designates the content information is recorded, differently from the content information."

More specifically, in Murase, the recording position (i.e. the address information) of the content information (i.e. the V_PCK and A_PCK in Figs. 2 to 3 of Murase) is recorded in the navi pack, which is technically well known in the technical field of OVO disclosed in Murase, and the navi pack is multi-recorded together with the content information (the V_PCK and A_PCK). Therefore, Murase does not disclose the feature of claims 26 to 47 such that "the area into which the content information is collectively recorded is different from the area into which the second information including the recording position of the content information is recorded."

For at least the reasons discussed above, claims 26 and 39-45 and the claims dependent therefrom are not anticipated by Murase.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 101 and 102. It is also submitted that claims 26-47 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition

suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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